

Live Database
U.S. District Court – Eastern District of Tennessee (Knoxville)
CIVIL DOCKET FOR CASE #: 3:11-cv-00399

Carson v. U.S Merit Systems Protection Board
Assigned to: District Judge Thomas W Phillips
Referred to: Magistrate Judge C Clifford Shirley
Cause: 05:552 Freedom of Information Act

Date Filed: 08/22/2011
Date Terminated: 06/29/2012
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**Joseph P Carson**

represented by **Joseph P Carson**
10953 Twin Harbour Drive
Knoxville, TN 37934
865-300-5831
Email: jpcarson@tds.net
PRO SE

V.

Defendant**U.S Merit Systems Protection Board**

represented by **Loretta S Harber**
U S Department of Justice (Knox USAO)
Office of U S Attorney
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/22/2011	<u>1</u>	COMPLAINT against U.S Merit Systems Protection Board (Filing fee \$ 350 PAID, Receipt #K3016814.), filed by Joseph P Carson. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Civil Cover Sheet)(ABF) (Entered: 08/23/2011)
08/23/2011		Summons Issued as to U.S Merit Systems Protection Board, U.S. Attorney's Office and the Attorney General of the United States and forwarded by mail to Mr. Carson for service. (ABF) (Entered: 08/23/2011)
09/07/2011		District Judge Thomas W Phillips and Magistrate Judge C Clifford Shirley added. (KAW) (Entered: 09/08/2011)
09/07/2011	<u>2</u>	ORDER Pursuant to Local Rule 3.2(d)(3), the undersigned finds that the above-captioned case is related to numerous other cases filed by the Plaintiff against various governmental entities, including Case Nos. 3:08-cv-317, 3:08-cv-330, 3:09-cv-615, 3:10-cv-56, and 3:10-cv-57. Carson v. U.S. Department of Justice, Case No. 3:10-cv-56, and Carson v. U.S. Office of Special Counsel, Case No. 3:10-cv-57, were the last of these cases to be filed. The Court has, through previous orders found these cases to be related, and assigned them to the same judges. The Court finds that this case, like the other cases, involves similar allegations of violations of the Freedom of Information Act and one or more of the same parties. The Court finds this case to be related to the previously-filed cases.Signed by Magistrate Judge C Clifford Shirley on 09/07/2011. (KAW) (Entered: 09/08/2011)
09/09/2011	<u>3</u>	MOTION for ECF Access for This Case by Joseph P Carson. (AYB) (Entered: 09/12/2011)

09/09/2011	<u>4</u>	NOTICE to Court About Requests for Extension of Time by Joseph P Carson. (AYB) (Entered: 09/12/2011)
09/09/2011	<u>5</u>	SUMMONS Returned Executed by Joseph P Carson. U.S Merit Systems Protection Board served on 8/29/2011. (AYB) (Entered: 09/12/2011)
09/14/2011	<u>6</u>	ORDER REFERRING <u>3</u> petitioner's MOTION for ECF Access for This Case to USMJ C. Clifford Shirley Jr. Signed by District Judge Thomas W Phillips on September 14, 2011. (AYB) (Entered: 09/14/2011)
09/16/2011	<u>7</u>	ORDER granting <u>3</u> plaintiff's Motion for ECF Access for This Case. The petitioner shall be allowed access to the ECF system, subject to the same terms and conditions that apply to other users. However, to ensure Mr. Carson is aware of this change in service, the Clerk of the Court is DIRECTED to mail a copy of this Order to the petitioner. Signed by Magistrate Judge C Clifford Shirley on September 16, 2011. (mailed to Mr. Carson c/o 10953 Twin Harbour Drive, Knoxville, TN 37934) (AYB) (Entered: 09/16/2011)
09/21/2011	<u>8</u>	First MOTION for Extension of Time to File <i>Response to Plaintiff's Complaint</i> by U.S Merit Systems Protection Board. (Harber, Loretta) (Entered: 09/21/2011)
09/22/2011	<u>9</u>	RESPONSE in Opposition re <u>8</u> First MOTION for Extension of Time to File <i>Response to Plaintiff's Complaint</i> filed by Joseph P Carson. (Attachments: # <u>1</u> Exhibit letter to MSPB requesting phone call about FOIA request, # <u>2</u> Exhibit request for expedited processing of FOIA request)(Carson, Joseph) Modified on 9/22/2011 to remove .pdf. Pro se plaintiff has refiled with electronic signature as Doc. <u>10</u> (AYB). (Entered: 09/22/2011)
09/22/2011	<u>10</u>	RESPONSE in Opposition re <u>8</u> First MOTION for Extension of Time to File <i>Response to Plaintiff's Complaint</i> filed by Joseph P Carson. (Attachments: # <u>1</u> Exhibit letter to MSPB requesting a phone call about FOIA request, # <u>2</u> Exhibit request for expedited processing of FOIA request)(Carson, Joseph) (Entered: 09/22/2011)
09/22/2011	<u>11</u>	ORDER granting <u>8</u> defendant's Motion for an enlargement of time to respond to plaintiff's complaint, whereby defendant's response shall be due November 10, 2011. Signed by District Judge Thomas W Phillips on September 22, 2011. (AYB) (Entered: 09/22/2011)
11/10/2011	<u>12</u>	MOTION to Dismiss for Lack of Jurisdiction by U.S Merit Systems Protection Board. (Harber, Loretta) (Entered: 11/10/2011)
11/10/2011	<u>13</u>	MEMORANDUM in Support of Motion re <u>12</u> MOTION to Dismiss for Lack of Jurisdiction filed by U.S Merit Systems Protection Board. (Harber, Loretta) (Entered: 11/10/2011)
11/10/2011	<u>14</u>	AFFIDAVIT in Support re <u>12</u> MOTION to Dismiss for Lack of Jurisdiction by <i>Declarant Bernard Parker</i> filed by U.S Merit Systems Protection Board. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10)(Harber, Loretta) (Entered: 11/10/2011)
11/10/2011	<u>15</u>	RESPONSE in Opposition re <u>12</u> MOTION to Dismiss for Lack of Jurisdiction filed by Joseph P Carson. (Attachments: # <u>1</u> Exhibit appeal of FOIA response)(Carson, Joseph) (Entered: 11/11/2011)
11/14/2011	<u>16</u>	(Case at Issue) NOTICE of Availability of Magistrate Judge. (AYB) (Entered: 11/14/2011)
11/22/2011	<u>17</u>	REPLY to Response to Motion re <u>12</u> MOTION to Dismiss for Lack of Jurisdiction filed by U.S Merit Systems Protection Board. (Harber, Loretta) (Entered: 11/22/2011)
12/03/2011	<u>18</u>	NOTICE by Joseph P Carson <i>about status of FOIA appeal</i> (Attachments: # <u>1</u> Exhibit email from MSPB)(Carson, Joseph) (Entered: 12/03/2011)
12/17/2011	<u>19</u>	NOTICE by Joseph P Carson <i>of FOIA appeal response by defendant</i> (Attachments: # <u>1</u> Exhibit foia appeal response)(Carson, Joseph) (Entered: 12/17/2011)

01/06/2012	<u>20</u>	RESPONSE to Plaintiff's Notice to Court About Status of FOIA Appeal [Ct. Doc. 19]. (Harber, Loretta) (Entered: 01/06/2012)
01/08/2012	<u>21</u>	NOTICE by Joseph P Carson re <u>20</u> Response to notice about FOIA appeal (Carson, Joseph) (Entered: 01/08/2012)
06/29/2012	<u>22</u>	MEMORANDUM OPINION noting plaintiff has already obtained all the relief he seeks in his complaint, and there is no live controversy for this court to adjudicate. Without a case or controversy, the court lacks subject matter jurisdiction. Accordingly, defendant's motion to dismiss the complaint <u>12</u> is hereby GRANTED, and this action is DISMISSED, with prejudice. Signed by District Judge Thomas W Phillips on June 29, 2012. (AYB) (Entered: 06/29/2012)
06/29/2012	<u>23</u>	JUDGMENT ORDER, entered by the Clerk, that defendant's motion to dismiss is GRANTED; and this action is DISMISSED WITH PREJUDICE on the merits. Signed by District Judge Thomas W Phillips on June 29, 2012. (AYB) (Entered: 06/29/2012)